

1 William M. Fitzgerald, Esq.  
2 **LAW OFFICE OF WILLIAM M. FITZGERALD**  
3 1<sup>st</sup> Floor, Macaranas Building  
4 P.O. Box 909  
5 Saipan, MP 96950  
6 Telephone (670) 234-7241  
7 Facsimile (670) 234-7530

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**Bruce Berline, Esq.**  
**Law Office of Bruce Berline**  
1<sup>st</sup> Floor, Macaranas Building  
P.O. Box 5682 CHRB  
Garapan, Saipan, MP 96950  
Telephone: (670) 233-3663  
Facsimile: (670) 233-5262

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

KENNETH COUTURE, ) CV NO. 05-0024  
Plaintiff, )  
v. ) STIPULATION RE PLAINTIFF'S FILING  
AMERICAN OVERSEAS MARINE ) OF OPPOSITION TO DEFENDANTS'  
CORPORATION and GENERAL DYNAMICS ) SUMMARY JUDGMENT  
CORPORATION, ) Date: N/A  
Defendants. ) Time: N/A  
 ) Judge: Munson

The above parties hereby stipulate and agree to allow Plaintiff until March 1, 2007 to file his opposition to Defendants' Motion for Summary Judgment.

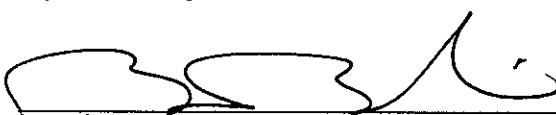
This stipulation is made in good faith, and based upon good cause without any intention of delaying these proceedings or inconveniencing this Court.

Although filed with this Court much earlier, Defendants' Motion for Summary Judgment was not served upon Plaintiff until Friday, February 16, 2007. Plaintiff was not served until February 16<sup>th</sup> because Defendants agreed not to object to Plaintiff filing, with this Court's permission, his own

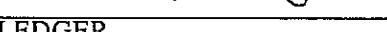
1 summary judgment. Plaintiff's counsel was unable to timely file their summary judgment because  
2 Plaintiff was unavailable, and remains unavailable, as he is currently on the Lummus, enroute to Saipan  
3 from the mainland. Defendants agreed to give Plaintiff as much time as possible to try to file his  
4 summary judgment but did not want to serve Plaintiff with their summary judgment until Plaintiff filed  
5 his motion. When it became apparent that Plaintiff was unable to communicate with his counsel, and  
6 therefor would not be able to file his summary judgment so as to be heard on March 15, 2007,  
7 Defendants served Plaintiff on February 16, 2007. Accordingly, the parties request this Court to approve  
8 of their stipulation to allow Plaintiff to file his opposition on or before March 1, 2007 at 3:30 p.m. which  
9 is the second Thursday after the week in which the summary judgment motion was served. *See*  
10 LR7.1(c)(2).

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12 SO STIPULATED AND AGREED TO this 27th day of February, 2007.

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14 BRUCE BERLINE  
15 WILLIAM M. FITZGERALD  
16 Attorneys for Plaintiff Kenneth Couture

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18 CARLSMITH BALL LLP  
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20 By:   
21 DAVID LEDGER  
22 Attorneys for Defendants  
23 American Overseas Marine Corporation and  
24 General Dynamics Corporation  
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